

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Andhra Pradesh Secretariat Subordinate Service – Single Unit – Smt.K.Girija Rani , while working as Assistant Section Officer in Education (School Education) Department was guilty of grave misconduct of cheating – Penalty of Dismissal from service – Orders – Issued.

GENERAL ADMINISTRATION (SU.II) DEPARTMENT

G.O.Ms.No. 216

Dated the 6th May, 2009
Read the following:-

- 1.G.O.Rt.No.939, Home (OP.I) Deptt dated. 15.4.1997.
- 2.G.O.Rt.No.974 Home(OP.I) Deptt., dt.18.4.1998.
- 3.From the Hon'ble Court of IX Metropolitan Magistrate Judgment in C.C.No.251 of 1997, dt.26.2.2001.
- 4.G.O.Ms.No.83, Education (SE) Department dt.20.7.2001.
- 5.G.O.Rt.No.1090 Education (SE.Ser.I) Department, dated.23.10.2003.
- 6.G.O.Rt.No.1091 Education (SE.Ser.1) Deptt dated.23.10.2003.
- 7.Enquiry report of the Commissioner of Enquiries, GAD in COIPM case No.6/2004 dated.30.4.2005.
- 8.Memo.No.475/vig(2)2003 Education (SE.vig) Deptt dated.25.1.06 & 15.4.06.

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ORDER :

Whereas, on a complaint lodged by Sri K.E.Jaya Raju, a case in Crime No.60 of 1996 under section 420 of the Indian Penal Code, 1860 was registered by the Inspector of Police, C.I.D., City Zone, Hyderabad against Smt.K.Girija Rani, Assistant Section Officer, Home Department, Andhra Pradesh Secretariat, Hyderabad and subsequently she was arrested on 3.4.1997 by the Police and produced before the IX Metropolitan Magistrate, Nampally, Hyderabad for judicial custody and she was remanded to judicial custody upto 17.4.1997;

(p.t.o)

2. And whereas, in the G.O.first read above, the said accused was placed under suspension with immediate effect under clause (c) of sub-rule(1) of rule 8 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 until the conclusion of the Disciplinary proceedings/ termination of all proceedings relating to the said criminal charge.

3. And whereas, in pursuance of the directions of the Hon'ble Andhra Pradesh Administrative Tribunal in O.A.No.2495/1997, dated.29.1.1998 the said accused was reinstated into service in G.O. second read above, revoking the suspension, pending finalization of all proceedings in the above said criminal charges against her and allotted to Education Department.

4. And Whereas, the IX Metropolitan Magistrate, Hyderabad, Andhra Pradesh in his judgement dated 26.2.2001 in C.C.No.251 of 1997 convicted the said accused under section 248(2) of the Code of Criminal Procedure, 1973 for the offence under section 420 of the Indian Penal Code, 1860 and sentenced to undergo simple imprisonment for a period of one year and also to pay a fine of Rs.1000/- (Rupees one thousand only) in default of simple imprisonment for two months;

5. And whereas, the accused has filed a Cri.M.P.No.165 of 2001 in Cri. Appeal No.103 of 2001 before the Court of the II Additional Metropolitan Sessions Judge, Hyderabad against the orders of the IX Metropolitan magistrate in C.C.No.251 of 1997 dated.26.2.2001 and the said court has only suspended the sentence passed by the IX Metropolitan Magistrate but not the conviction passed under section 248 (2) of the code of Criminal Procedure, 1973;

6. And whereas, in the G.O.4th read above, the Government after careful examination of the matter, have dismissed the said accused Smt.K.Girija Rani, Assistant Section Officer, Education (SE) Department from service, in exercise of the powers conferred by clause (X) of rule 9 read with clause (1) of rule 25 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 with immediate effect;

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7. And whereas, the accused has filed a Xerox copy of the order dated.29.4.2002 of the II Additional Metropolitan Sessions Judge in Cri.M.P.No.294/2002 in C.A.No.10301 and requested to reinstate her into service.

8. And whereas, in the G.O.5th read above, the Government have issued orders to the effect that pending initiation of departmental action, the said Smt.K.Girija Rani, who was dismissed from service is deemed to be under suspension from the date of dismissal and shall continue to remain under suspension until further orders, under sub-rule (4) of Rule 8 of the Andhra Pradesh Civil Servicers (Classification, Control and Appeal) Rules, 1991.

9. And whereas, in the G.O.6th read above, departmental proceedings were initiated against her for committing grave misconduct of cheating in receiving an amount of Rs.80,000/- from Sri K.E.Jaya Raju for securing a job to his son in 1993 in Group II B exams.

10. And whereas, after examination of her written statement of defence, the matter was entrusted to Dr.P.Mahapatra, IAS., (Member, Commission of Inquiries) for conducting enquiry. The COI found that there is preponderance of evidence substantiating the charge that she did use her official position in Government to give an impression to Jaya Raju that she can help in selection of his son by the APPSC and she collected money from Jaya Raju on the basis of promise.

11. And whereas, a copy of the Inquiry report was communicated to Smt.K.Girija Rani, A.S.O., (U/S) vide Govt.Memo.dt.25.1.2006 for making her representation if any in the matter, within ten days from the date of receipt of the memo. And if no reply is received in the stipulated time it will be construed that there are no remarks to offer and action will be taken as per the rules. In response to the memo.dt.25.1.2006, she has not submitted any representation in the matter.

12. And whereas, the Government after careful examination of the matter, decided to dismiss the said accused Smt.K.Girija Rani, Assistant Section Officer, Education (School Education) Department from service with immediate effect;

13. The following notification will be published in the Extraordinary issue of Andhra Pradesh Gazette dated. 5.5.2009.

NOTIFICATION

In exercise of the powers conferred under sub-rule(x) of rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, the Governor of Andhra Pradesh hereby dismiss Smt.K.Girija Rani, Assistant Section Officer, Education (School Education) Department, Andhra Pradesh Secretariat, Hyderabad from Government service with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.BALASUBRAMANYAM
SECRETARY TO GOVERNMENT(SER & HRM)

To
Smt.K.Girija Rani, A.S.O., through Education (SE) Deptt.,
The Education (SE) Department.
The Home (OP) Department.
The General Administration (Ser.C) Department
The Accountant General, A.P.,Hyderabad.
The Pay & Accounts Officer, Hyderabad.
The Commissioner, Printing & Stationery, Stores purchase(Printing wing)
With a request to publish the G.O. in the A.P.Gazette and furnish 25 copies.
Copy to : Law Department
Copy to SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER.